



08/1103

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Name (Print)

Signature

Customer No.: 07278

Docket No.: 9639/1L323US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tetsuo NAKATSU *et al.*

Serial No.: 10/625,074

Group Art Unit: Not Yet Assigned

Confirmation No.: Not Yet Assigned

Filed: July 22, 2003

For: A NEW SENSATE COMPOSITION IMPARTING INITIAL SENSATION  
UPON CONTACT

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the documents listed thereon.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is

not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application. The copies of the documents listed on Form PTO-1449 have been made of record in the parent application, Serial No. 09/498,592, filed February 4, 2000, and are not submitted here pursuant to 37 C.F.R. § 1.98.

Exhibits 22 and 23 listed on Form PTO-1449 identify Search Reports issued in European counterparts to the parent patent application (European Patent Application Nos. 01400266 and 01400267, published as European Publication Nos. 1121927 and 1122233, respectively), in which the presently disclosed reference numbers 1, 5-7, 11, 14-17 and 19 were cited. Since a translation of the Search Report was submitted in the parent application, or the Search Report utilizes conventional codes to characterize each cited reference, it is believed that the applicants in the above-identified patent application have now met the "concise explanation" requirement of 37 C.F.R. 1.98.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

This Information Disclosure Statement is filed before a first action on the merits has been mailed. It is believed that no fee is due. However, if the Commissioner determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 04-0100 for any deficiency.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

Dated: August 7, 2003



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Serial No. 10/625,074

Docket No. 9639/1L323US2

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE (REV. 7-80)

**LIST OF REFERENCES CITED BY APPLICANT**

(Use Several Sheets if Necessary)

DOCKET NO.: 9639/1L323US2 SERIAL NO: 10/625,074  
 APPLICANT: Tetsuo NAKATSU *et al.* FILING DATE: July 22, 2003  
 CONFIRMATION NO: Not Yet Assigned

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	1. 5,545,424	08/13/96	Nakatsu <i>et al.</i>	426	536	10/12/94
	2. 5,035,882	07/91	Hussein <i>et al.</i>	424	58	
	3. 4,980,469	07/91	Oppenheimer <i>et al.</i>	424	439	
	4. 4,459,425	07/10/84	Amano <i>et al.</i>	426	536	08/25/82
	5. 4,374,824	02/22/83	Wahmi	424	58	01/27/81
	6. 4,029,759	06/14/77	Humbert <i>et al.</i>	424	49	02/15/73
	7. 3,720,762	03/13/73	Hatasa	424	58	07/07/71

**FOREIGN PATENT DOCUMENTS**

*EXAMINER INITIALS	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	8. WO 98/47482	10/29/98	PCT	A61K	9/00	
	9. WO 97/06695	02/27/97	PCT	A23G	3/00	
	10. WO 97/02273	01/97	PCT			
	11. 0452273	04/08/91	EP	A61K	35/78	
	12. JP86009293B	03/22/86	Japan			Abs.
	13. JP 54067040A	05/30/79	Japan			Abs.
	14. 2,098,476	05/12/81	GB	A61K	7/16	
	15. 1,438,205	08/27/74	GB	A61K	7/16	
	16. 1,315,626	05/02/73	GB			
	17. 1,133,831	08/20/81	CA	A61k	7/16	

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\*EXAMINER  
INITIALS

**OTHER REFERENCES**  
**(INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)**

\*EXAMINER  
INITIALS

18. Journal of Pharmacy and Pharmacology, 46, 618-630, 1994, "Menthol and Related Cooling Compounds", R. Eccles.
19. Tetrahedron Letters, Vol. 28, No. 18, pp 2215-2218, 1988, Great Britain, "A Direct Synthesis of Cyclic Acetals From  $\beta$ - OR  $\gamma$ -Hydroxy Ethers By Means of C-H Activation", K. Furata *et al.*
20. Environment, Drugs, and Thermoregulation, 5<sup>th</sup> Int. Symp. Pharmacol. Thermoregulation, Saint-Paul-de Vence, 183-186, 1982, "AG-3-5: A Chemical Which Produces Sensations of Cold", E.T. Wei
21. Journal of the Society of Cosmetics Chemists, 29, 185-200, 1978; "New Compounds With Menthol Cooling Effect", H.R. Watson *et al.*
22. Partial European Search Report for Application No. 01400266, Dated March 20, 2003.
23. European Search Report for Application No. 01400267, Dated June 22, 2001.

EXAMINER: \_\_\_\_\_ DATE CONSIDERED: \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.